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**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEVADA**

In re:

INFINITY CAPITAL MANAGEMENT, INC.
dba INFINITY HEALTH CONNECTIONS,

Debtor.

Case No. 21-14486-abl
Chapter 7

**EX PARTE MOTION FOR
ALLOWANCE OF PAYMENT OF
\$2,250.00 IN SUBPOENA
PRODUCTION COSTS AS AN
ALLOWED ADMINISTRATIVE
EXPENSE**

Chapter 7 trustee ROBERT E. ATKINSON (“Trustee”) hereby moves this Court for an order allowing and authorizing the payment of a certain expense for case administration, relating to subpoena production.

BACKGROUND

Upon investigation of the Debtor’s finances, the Trustee served a subpoena to Infinity Health Solutions LLC (“Infinity Health”) for various documents and information on January 7, 2022. [DE #170]. Infinity Health is a relatively new company associated with the Debtor’s principals. A large number of documents and communications were sought in the subpoena, relating to potential pre-petition transfers. [Id.]

In response to the subpoena, counsel for Infinity Health contacted the Trustee, and a meet-and-confer was held. At the meeting, counsel for Infinity Health requested that reasonable fees be tendered, in order to compensate Infinity Health for the cost to produce the subpoena response. The reasonable fee proposed by Infinity Health’s counsel was \$2,250.00.

The Trustee contacted the primary secured creditor (HASelect) about the requested amount, and the creditor did not raise an issue with the amount.

LEGAL AUTHORITIES

The Trustee has a duty to administer the debtor's estate. 11 U.S.C. § 704.

Given the large document request, the Trustee, in his business judgment, believes that the expense is worthwhile, and is supported by applicable law in order to prevent an "unduly burdensome" motion to quash. [*See, e.g.*, Notes of Advisory Committee on Rules—1991 Amendment to FRCP Rule 45 ("A non-party required to produce documents or materials is protected against significant expense resulting from involuntary assistance to the court.")].

Given the necessity of obtaining these documents in furtherance of his duties, the Trustee therefore asserts that the subpoena production payment is an actual and necessary expense of administering the estate.

RELIEF REQUESTED

The Trustee respectfully requests that this Court enter an order allowing the Trustee to remit \$2,250.00 from estate funds to Infinity Health Solutions LLC as compensation for subpoena production, and that such payment be deemed an allowed 503(b) administrative expense of the estate.

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DATED: February 15, 2022

By: /s/ Clarisse Crisostomo
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